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3 Including Professional Corporations  
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15 KATE SPADE & COMPANY

16  
17 UNITED STATES DISTRICT COURT  
18 NORHERN DISTRICT OF CALIFORNIA

19  
20 LAURA MARKS, GAYLIA PICKLES  
21 & DONNA VANDIVER, individually  
22 and on behalf of all others similarly  
23 situated,

24 Plaintiffs,

25 v.

26 KATE SPADE AND COMPANY, a  
27 Delaware corporation; and DOES 1-50,  
28 inclusive,

Defendant.

Case No. 3:15-CV-05329-VC

**CLASS ACTION**

**DECLARATION OF DYLAN J.  
PRICE IN SUPPORT OF  
STIPULATION CONTINUING  
FURTHER CASE MANAGEMENT  
CONFERENCE**

## DECLARATION OF DYLAN J. PRICE

I, Dylan J. Price, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate with Sheppard, Mullin, Richter & Hampton LLP, attorneys of record for Defendant Kate Spade & Company (“Kate Spade”). If called as a witness, I could and would competently testify to all facts within my personal knowledge except where stated upon information and belief.

2. This declaration is submitted in support of the parties' Stipulation and [Proposed] Order Continuing Further Case Management Conference.

10       3. The further case management conference is currently scheduled for  
11 May 17, 2016.

12       4. On May 5, 2016, the Court held the hearing on Kate Spade’s Motion to  
13 Dismiss Plaintiffs’ First Amended Complaint Pursuant to Rule 12(b)(6) (“Motion to  
14 Dismiss”).

15       5. Leave to amend having been requested by Plaintiffs and granted by the  
16 Court at the hearing on Kate Spade’s Motion to Dismiss, Plaintiffs’ Second  
17 Amended Complaint (“SAC”) is due on or before May 26, 2016

18       6. As a result of the Court's May 5, 2016 Order granting Plaintiffs leave  
19 to amend, there will be no operative complaint pending at the time of the currently  
20 scheduled May 17, 2016 further case management conference

21       7.     Kate Spade's response to Plaintiffs' SAC will be due on or before June  
22 16, 2016. Pursuant to Local Rule 7-2(a), the hearing on any motion filed by Kate  
23 Spade in response to Plaintiff's SAC will occur thirty-five days after the filing  
24 thereof (*i.e.*, on or before July 21, 2016).

25       8. Counsel for the Parties have met and conferred and agreed to continue  
26 the further case management conference until a date after any hearing on Kate  
27 Spade's response to the SAC would occur (*i.e.*, after July 21, 2016) that is  
28 convenient to the Court.

9. The parties previously stipulated to continue the further case management conference to take place after the continued hearing on Kate Spade's Motion to Dismiss. (See ECF Dkt. No. 34.)

10. The Court has not issued a scheduling order in this matter. Thus, aside from the further case management conference on May 17, 2016 – which the parties stipulate and respectfully request that the Court continue to a date after July 21, 2016 – a continuance of the further case management conference will not negatively impact any other dates or deadlines in this matter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed May 6, 2016, at Los Angeles, California.

/s/ Dylan J. Price  
Dylan J. Price